



Leicester
City Council

Minutes of the Meeting of the
LICENSING (HEARINGS) SUB-COMMITTEE

Held: MONDAY, 16 JANUARY 2017 at 9:30 am

P R E S E N T:

Councillor Hunter (Chair)

Councillor Cank

Councillor Cole

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11. APPOINTMENT OF CHAIR

Councillor Hunter was elected as Chair for the meeting.

12. APOLOGIES FOR ABSENCE

There were no apologies for absence.

13. DECLARATIONS OF INTEREST

Members were asked to declare any disclosable pecuniary or other interest they may have in the business on the agenda.

There were no declarations of interest.

14. MINUTES OF PREVIOUS MEETINGS

RESOLVED:

That the minutes of the Licensing (Hearings) Sub-Committee held on 19 August, 14 October and 9 November 2016 were confirmed as an accurate record.

15. REVIEW OF AN EXISTING PREMISES LICENCE: THE REYNARD, 17-19 MARKET STREET, LEICESTER, LE1 6DN

The Director of Neighbourhood and Environmental Services submitted a report that required the Sub-Committee to determine an application for a review of an existing premises licence for: The Reynard, 17-19 Market Street, Leicester, LE1 6DN.

The Sub-Committee noted that an application for a review of an existing premises licence had been received which necessitated that the application had to be considered by the Sub-Committee.

Chloe Roper – representative of the Noise & Pollution Team, the Licensing Team Manager and the Solicitor to the Sub-Committee were all present at the hearing.

It was noted that the Licence holder or DPS was not present at the meeting or represented.

The Sub-Committee agreed that it was in the public interest to proceed with the application for the review of an existing premises licence in the absence of the Premises Licence Holder on the basis that all parties had been given the opportunity to attend and no apologies or reasons for absence had been received.

Introductions were made and the procedure for the meeting was outlined to those present.

The Licensing Team Manager presented the report. It was noted that an application for the review of an existing premises licence had been received from Chloe Roper - representative of the Noise & Pollution Team, Leicester City Council on 23 November 2016 on the grounds of the prevention of public nuisance and concerns were raised that there had been a number of noise nuisances reported from the premises. There were no questions.

The representative of the Noise & Pollution Team outlined the reasons for the application for the review of an existing premises licence and answered questions from the Sub-Committee.

All parties present were then given the opportunity to sum up their positions and make any final comments.

Prior to the Sub-Committee considering the application the Solicitor to the Sub-Committee advised the Sub-Committee of the options available to them in making a decision. The Sub-Committee were also advised of the relevant policy and statutory guidance that needed to be taken into account when making their decision.

In reaching their decision, the Sub-Committee felt they should deliberate in private on the basis that this was in the public interest and as such outweighed the public interest of their deliberation taking place with the parties represented present.

The Licensing Team Manager, the Solicitor to the Sub-Committee and the representative of the Noise & Pollution Team then withdrew from the meeting.

The Sub-Committee then gave the application full and detailed consideration.

The Solicitor to the Sub-Committee was then recalled to the hearing to give advice on the wording of the decision.

The Licensing Team Manager and the representative of the Noise & Pollution Team then returned to the meeting.

The Chair informed all persons present that they had recalled the Solicitor to the Sub-Committee for advice on the wording of their decision.

RESOLVED:

That the conditions of the existing premises licence for: The Reynard, 17-19 Market Street, Leicester, LE1 6DN be modified to include the additional conditions:

1. From 10:00pm all external doors and windows must be kept closed, other than for access and egress, in all rooms when events involving amplified music or speech are taking place.
2. A noise limiting device shall be installed, fitted and maintained in such a manner as to control all sources of amplified music at the premises. The levels shall be set to the agreement of the Licensing Authority. Once set such a device shall be inaccessible to the licence holder or their staff.

The licence holder may need to consider providing ventilation or air conditioning in warm weather.

The Sub-Committee commented that after careful consideration of the report submitted by the Noise and Pollution Control Team, also the lack of co-operation by the Premises Licence holder/ DPS. The Sub-Committee decided that all conditions asked for by the Noise & Pollution Team should be adhered to, with the addition that the start time of 10pm will apply to the first condition, which was chosen because the noise nuisances were not witnessed before this time, therefore this was considered to be proportionate.

16. CLOSE OF MEETING

The Chair declared the meeting closed at 10:35am.